

**REMARKS**

Attached hereto is an Excess Claims Letter and fee for one excess independent claim.

Attached hereto is a marked up version of the changes made in the specification and/or claims by the current Amendment. The attached page is captioned "**Version with markings to show changes made.**"

It is noted that the claim amendments herein are intended solely to more particularly point out the present invention for the Examiner, and not for distinguishing over the prior art or the statutory requirements directed to patentability.

It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1-20 are all of the claims pending in the present Application. New claims 17-20 are added above. Claims 1-3 and 6 stand rejected under 35 USC §102(b) as anticipated by US Patent 6,076,294 to Durbin. Claims 4 and 5 stand rejected under 35 USC §103(a) as unpatentable over Durbin. Claim 7 stands rejected under 35 USC §103(a) as unpatentable over Durbin, further in view of US Patent 5,641,221 to Schindele et al. Claims 8-13 and 15 stand rejected under 35 USC §103(a) as unpatentable over Durbin, further in view of US Patent 5,036,243 to Cocks et al. Claim 16 stands rejected under 35 USC §103(a) as unpatentable over Durbin, further in view of Cocks, and further in view of US Patent 5,339,550 to Hoffman.

These rejections are respectfully traversed in view of the following discussion.

## **I. THE CLAIMED INVENTION**

As described and claimed, for example by claim 1, the present invention is directed to an illumination apparatus including an LED light source and a light guide plate having a groove portion for receiving the LED light source and character portions formed by concave portions or convex portions with desired shapes. The character portions are provided on a back surface of the light guide plate. A base member covers the back surface and the groove portion of the light guide plate. The base member is bonded to the light guide plate in a circumferential edge portion of the base member.

With such a combination, a novel decorative expression can be provided, as well as an illumination apparatus in which dust, water, etc., cannot enter a gap between a light transmission hole of a character plate and a light guide plate.

## **II. THE PRIOR ART REJECTIONS**

The Examiner alleges that US Patent 6,076,294 to Durbin discloses an illumination apparatus that anticipates claims 1-3 and 6. Applicants respectfully disagree.

Durbin teaches an illumination apparatus having diodes in which the character portions are machined out on a back face of a photoconductive plate 20 and the characters are visible because a fluorescent material covers a back plate behind the characters. This concept is entirely different from the present invention in which no fluorescent material is used to achieve the character display.

In contrast, the character portions of the present invention use convex or concave surface portions of the character portions to allow light to be transmitted differently from the character portions than from the background portions of the light guide plate. As clearly

shown in Figure 3 of Durbin, the end faces, for example 36, of indicia 30 form a right angle. There is no hint or suggestion of modifying these faces to form a convey or concave portion. None of the Schindele, Cocks, nor Hoffman references overcomes this basic deficiency.

Hence, turning to the clear language of the claims, there is no teaching or suggestion of “...character portions formed by concave portions or convex portions with desired shapes ....”, as required by independent claims 1 and 8.

For this reason alone, the claimed invention, as described by claims 1-17, is fully patentable over the cited references.

Moreover, concerning claim 8, the Examiner concedes that Durbin fails to teach or suggest using a hermetic seal and relies upon US Patent 5,036,243 to Cocks et al. as demonstrating that a hermetic seal is known in the art. Even if Cocks arguably teaches a hermetic seal, such seal is required in high voltage inert gas illumination devices. However, Cocks is totally irrelevant to the primary reference Durbin, which is based on an LED rather than an inert gas. Therefore, Applicants respectfully disagree that a motivation exists to apply a hermetic seal to Durbin, as based on Cocks.

Further, the other prior art of record has been reviewed, but it too even in combination with Durbin, Schindele, Cocks, or Hoffman, fails to teach or suggest the claimed invention.

### **III. FORMAL MATTERS AND CONCLUSION**

The Examiner objects to the drawings as failing to show the feature in claims 7 and 14 of the "scuff plate on a side step portion of a car". Applicants have revised these claims to reflect that the illumination apparatus (items 1, 2, 3 of Figures 1-9) comprises a scuff plate that will be installed on a side step portion of a car. Accordingly, Applicants respectfully request

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that the Examiner reconsider and withdraw this objection.

In view of the foregoing, Applicant submits that claims 1-20, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

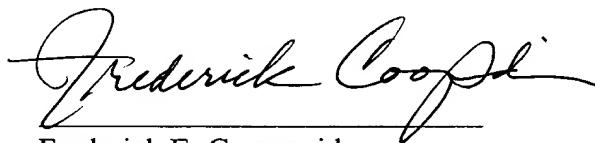
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: \_\_\_\_\_

2/13/03



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

**The claims have been amended as follows:**

7. (Amended) An illumination apparatus according to Claim 1, wherein said illumination apparatus [is] comprises a scuff plate that will be installed on a side step portion of a car.

14. (Amended) An illumination apparatus according to Claim 8, wherein said illumination apparatus [is] comprises a scuff plate that will be installed on a side step portion of a car.

**The following new claims have been added:**

17. (New) An illumination apparatus comprising:

- a case;
- a light source located along one side wall of said case;
- a light guide plate receiving light from said light source through a first end face;
- a reflector on a second end face of said light guide plate, said second end face being opposite said first end face;
- a light diffusion layer on a third face of said light guide plate; and
- a display plate on a fourth face of said light guide plate, said display plate having character portions through which light can pass.

18. (New) The illumination apparatus of claim 17, further comprising:

- a transparent cover sheet covering said display plate, said transparent cover sheet being bonded to said case to provide a seal.

19. (New) An illumination apparatus comprising:

- a case;
- a light source located along one side wall of said case; and
- a light guide plate receiving light from said light source through a first face, said light guide plate having character portions with desired shapes, said character portions being formed by at least one of concave portions or convex portions, said character portions being provided on a back surface of said light guide plate.

20. (New) The illumination apparatus of claim 19, further comprising:

- a transparent cover sheet covering said light guide plate, said protective transparent cover sheet being bonded to said case to provide a seal.

**RECEIVED**  
**FEB 20 2003**  
**GROUP 3600**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Shibata, et al.

Serial No.: 09/964,402

Filed: September 28, 2001

For: ILLUMINATION APPARATUS

Honorable Assistant Commissioner of Patents  
Washington, D.C. 20231



Group Art Unit: 3611

Examiner: Silbermann, J.

**EXCESS CLAIM FEE PAYMENT LETTER**

**RECEIVED**  
**FEB 20 2003**  
**GROUP 3600**

Sir:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.

	<u>AFTER AMENDMENT</u>	<u>PREV. PAID FOR</u>	<u>EXTRA CLAIMS PRESENT</u>	<u>RATE</u>	<u>FEE DUE</u>
Total Claims	20 -	20	= 0	x \$18.00	\$ 0.00
Indep. Claims	4 -	3	= 1	x \$84.00	\$ 84.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$ 84.00</b>

A check in the amount of \$84.00 to cover the excess claim fees. A duplicate copy of this sheet is enclosed. The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 2/13/03

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